

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
WACO DIVISION

DISABILITY RIGHTS TEXAS,
Plaintiff,

V.

RICHARD ALFORD, in his official capacity as the Warden of Jack Harwell Detention Center, developed and operated by Southwestern Correctional, L.L.C., DBA, LaSalle Southwest Corrections, Defendant.



NO. 6:19-cv-00391-ADA-JCM

AGREED STIPULATION OF DISMISSAL WITHOUT PREJUDICE

The parties file this Agreed Stipulation of Dismissal Without Prejudice under Federal Rule of Civil Procedures 41(a)(1)(A)(ii).

1. Plaintiff is Disability Rights Texas (DRTx). Defendant is Richard Alford, in his official capacity as the Warden of Jack Harwell Detention Center, operated by Southwestern Correctional, L.L.C., DBA, LaSalle Southwest Corrections.
2. On June 25, 2019, Plaintiff sued Defendant.
3. Plaintiff moves to dismiss the suit.
4. Defendant was served with process, but was granted two Extensions of Time to Answer or Otherwise Respond. The first unopposed motion was filed on July 24, 2019 and granted on July 25, 2019. The second unopposed motion was filed on August 23, 2019 and granted on August 26, 2019. Defendant has not served an answer or a motion for summary judgment. Defendant agrees to the dismissal.

5. After Defendant was served, Defendant indicated its willingness to work with DRTx to resolve the issues in this suit. On September 12, the parties entered into an agreement which resolved Plaintiff's claims.

6. This case is not a class action under Federal Rule of Civil Procedure 23, a derivative action under Rule 23.1, or an action related to an unincorporated association under Rule 23.2.

7. A receiver has not been appointed in this case.

8. This case is not governed by any federal statute that requires a court order for dismissal of the case.

9. Plaintiff has not previously dismissed any federal- or state-court suit based on or including the same claims as those presented in this case.

10. Each party shall bear its own costs and fees.

11. This dismissal is without prejudice.

Therefore, pursuant to FED. R. CIV. P 41(a)(1)(A)(ii), it is hereby stipulated by the parties that the above entitled action be dismissed against Defendant without prejudice.

DATED: This the 18th day of September, 2019.

Respectfully submitted,

/s/ Cassandra Champion

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ATTORNEY FOR DEFENDANT

CERTIFICATE OF SERVICE

I, Cassandra Champion, counsel for Plaintiff, certify that I have electronically submitted for filing a copy of this Agreed Stipulation of Dismissal with Prejudice in accordance with the Electronic Case Files System of the Western District of Texas, on this the 18th day of September, 2019. The electronic case filing system sent a “Notice of Electronic Filing” to attorneys of record, who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Cassandra Champion

CASSANDRA CHAMPION